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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/587,712	07/28/2006	Daisuke Mizuno	A3156.0036	3505
32172 DICKSTEIN SI	7590 08/03/201 HAPIRO LLP	EXAMINER		
1633 Broadway	,	ALPHONSE, FRITZ		
NEW YORK, N	NY 10019		ART UNIT	PAPER NUMBER
			2112	
			MAIL DATE	DELIVERY MODE
			08/03/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

1) Responsive to communication(s) filed on 17 May 2010.  2a) This action is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 71,73 and 75-77 is/are pending in the application.  4a) Of the above claim(s) is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) 71,76 and 77 is/are allowed.  6) Claim(s) 73,75 is/are rejected.  7) Claim(s) is/are objected to.  8) Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  *See the attached detailed Office action for a list of the certified copies not received.	Office Action Summary		Α	Application No. Applicant(s)					
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- The MALING DATE of this communication appears on the cover sheet with the correspondence address — Period for Repty  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Falserboard of their may be availation and the provisions of ZFC 11-1061, in comult, however, may reply the dimension field in the communication of the provisions of ZFC 11-1061, in comult, however, may reply the dimension field in the communication of the provisions of ZFC 11-1061, in comult, however, may reply the dimension of the communication. Fall the property of the provision of the specified above, the macround statistics precised val apply, and will expert SN (8) MONTHS from the mailing date of this communication. Fall the property of the provision o			E	xaminer	Art Unit				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  - Exhabition of three may be available under the provisions of 37 GFR 1.136a). Time event, however, may a rayby be timely filed  - Exhabition of three may be available under the provisions of 37 GFR 1.136a). Time event, however, may a rayby be timely filed  - Hill Opported for rayby is specified above, the minimum statisticy provide unlayed and will agree \$X, 00 MONTH file mine mailing date of this communication.  - Failward to rayby within the sor or exhausted produced in the treating date of this communication. The provided in the mailing date of this communication. The provided in the mailing date of this communication. The provided in the mailing date of this communication.  - Failward placent term adjustment. See 37 GFR 1.704(b).  - Status  1) □ Responsive to communication(s) filled on 17 May 2010.  2a) □ This action is FINAL. □ 2b) □ This action is non-final.  3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) □ Claim(s) 71.73 and 75-72 is/are pending in the application.  4a) Of the above claim(s) ─ is/are withdrawn from consideration.  5 □ Claim(s) 71.75 is/ara flowed.  - (b) □ Claim(s) 71.75 is/ara flowed.  - (claim(s) 71.75 and 75-72 is/are rejected.  - (claim(s) 71.75 is/ara flowed.  - (claim(s) 71.75			F	RITZ ALPHONSE	2112				
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2.

## **DETAILED ACTION**

This Office Action is in response to the amendment filed on 5/17/2010. Claims 71, 73, 75-1. 77 are pending.

## **Duplicate of claim**

Claim 73 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 75. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim

to object to the other as being a substantial duplicate of the allowed claim. See

MPEP 706.03(k).-

3. Claims 73 and 75 are objected to because of the following informalities: The claims are

essentially duplicate of one another. The only notable difference is that one says "each of which

has a different compression rate", which mean the N steams (in claims 73 and 75) have different

compression rate.

Applicants are requested to cancel/amend at least one of the claims. Appropriate correction is required.

## Allowable Subject Matter

4. Claims 71, 76-77 are allowed.

## Conclusion

5. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fritz Alphonse, whose telephone number is (571) 272-3813. The examiner can normally be reached on M-F, 8:30-6:00, Alt. Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Baderman, can be reached at (571) 272-3644.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3824

Information regarding the status of an application may also be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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/Fritz Alphonse/

Primary Examiner, Art Unit 2112

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